

Message Text

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ACTION DLOS-09

INFO OCT-01 AF-10 EUR-12 IO-13 ISO-00 ACDA-12 AGRE-00
AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 COME-00
DODE-00 DOTE-00 EB-08 EPA-01 SOE-01 DOE-12 FMC-01
TRSE-00 H-01 INR-07 INT-05 JUSE-00 L-03 NSAE-00
NSC-05 NSF-01 OES-07 OMB-01 PA-01 PM-05 PRS-01
SP-02 SS-15 USIA-06 /147 W
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R 201720Z DEC 77
FM AMEMBASSY DAKAR
TO SECSTATE WASHDC 2108
INFO USMISSION GENEVA
AMEMBASSY PARIS
AMEMBASSY VIENNA
USMISSION USUN NEW YORK

C O N F I D E N T I A L SECTION 1 OF 2 DAKAR 8404

VIENNA FOR USIAEA

E.O. 11652: GDS
TAGS: PLOS, SG
SUBJECT: GROUP OF 77 LAW OF SEA (LOS) CONSULTATIONS IN SENEGAL

REF: (A) STATE 239529, (B) STATE 238616, (C) DAKAR 5148

1. SUMMARY: SENEGAL WILL HOST GROUP OF 77 LOS CONSULTATIONS
MARCH 13-24. AMADOU MOCTAR CISSE, HELPFUL HEAD OF SENEGALESE
LOS DELEGATION AND CURRENT GROUP OF 77 CHAIRMAN, IS BEING
REASSIGNED TO PARIS, SENEGAL'S MOST IMPORTANT EMBASSY, BUT
IS EXPECTED TO RETAIN LOS RESPONSIBILITIES AT LEAST THROUGH
SEVENTH LOS SESSION. WE WOULD APPRECIATE PARIS KEEPING HIM
INFORMED OF FUTURE US STATEMENTS ON LOS, AND BELIEVE HE
SHOULD REMAIN PRIMARY LOCUS FOR SUBSTANTIVE US DISCUSSIONS
WITH SENEGAL ON LOS. SENEGALESE PROFESS TO HAVE BEEN
SURPRISED AT AMERICAN OPPOSITION TO COMMITTEE 1'S DEEP
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SEABED MINING PROVISIONS, BUT EXPECT STRONG US REACTION TO
DOMINATE PREPARATIONS FOR NEXT SESSION. SENEGALESE ARE
STRONGLY COMMITTED TO CONSOLIDATING LDC GAINS IN LOS
CONFERENCE BY AGREEMENT ON FINAL TREATY IN WHICH THEY
BELIEVE AMERICAN PARTICIPATION IS IMPERATIVE. SENEGAL'S
DESIRE TO MOVE OTHER LDC'S BEYOND IDEOLOGICAL POSTURING
AND FIND WORKABLE COMPROMISE ACCEPTABLE TO US PLACES IT

IN EXCELLENT POSITION TO ASSIST IN GETTING LOS DELIBERATIONS BACK ON CONSTRUCTIVE TRACK. END SUMMARY.

2. AS CURRENT CHAIRMAN OF GROUP OF 77 AT LAW OF SEA CONFERENCE, SENEGAL IS MOVING FORWARD WITH PLANS FOR GROUP OF 77 MEETING IN DAKAR MARCH 13-24 "TO EVOLVE NEW STRATEGY" ON EVE OF SEVENTH SESSION OF LOS CONFERENCE. IN RECENT PRESENTATION TO SENEGALESE CABINET, FOREIGN MINISTER SECK STATED THAT DAKAR MEETING WOULD "EXAMINE THE POLITICAL WILL OF STATES TO NEGOTIATE, TO GO BEYOND THE STRIKING OF RADICAL POSITIONS FOR PURELY IDEOLOGICAL CONSIDERATIONS." FOREIGN MINISTRY LOS PERSONNEL EXPECT SUBSTANCE OF DAKAR MEETING TO BE DETERMINED BY OUTCOME OF FEBRUARY INTERSESSIONAL CONSULTATIONS IN NEW YORK. THEY INDICATE THAT DAKAR DELIBERATIONS WILL TAKE PLACE BEHIND CLOSED DOORS, ASIDE FROM POSSIBLE ISSUANCE OF FINAL STATEMENT, AND THEY ARE DISCOURAGING OBSERVERS FROM OUTSIDE GROUP OF 77. THERE IS NO INDICATION AS YET HOW MANY GROUP OF 77 DELEGATIONS WILL BE COMING TO DAKAR.

3. ON DECEMBER 1, SENEGALESE CABINET APPROVED TRANSFER TO PARIS OF AMADOU MOCTAR CISSE, FORMER REPRESENTATIVE TO UN SPECIALIZED AGENCIES IN GENEVA AND IAEA IN VIENNA AS WELL AS HEAD OF SENEGAL'S LOS DELEGATION. CHANGE PERMITS CLAUDE MADEMBA SY, NEWLY POSTED RESIDENT SENEGALESE AMBASSADOR IN VIENNA (DAKAR 5007), TO TAKE CHARGE OF

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RELATIONS WITH IAEA, AND ENABLES LONGTIME AMBASSADOR TO PARIS ANDRE GUILLABERT TO RETURN HOME WHERE HE HAS BUSINESS INTERESTS AND RETAINS SUFFICIENT POLITICAL INFLUENCE (AS PAST FOREIGN MINISTER AND CURRENT NATIONAL ASSEMBLY MEMBER AND MAYOR OF ST. LOUIS) TO BE RUMORED AS POSSIBLE CANDIDATE FOR ASSEMBLY PRESIDENCY OR FOR REJOINING CABINET AFTER FEBRUARY ELECTIONS. WITH HIS TRANSFER TO PARIS, CISSE, WHO IS ONE OF SENEGAL'S MOST EFFECTIVE AND INFLUENTIAL AMBASSADORS, TAKES OVER ITS MOST IMPORTANT EMBASSY. WE ARE SENDING FURTHER BACKGROUND ON CISSE TO PARIS BY SEPARATE MESSAGE. OFFICIALS WE HAVE QUERIED IN DAKAR HAVE DIVIDED OPINIONS ON HOW LONG CISSE MAY BE EXPECTED TO RETAIN HIS LOS CAPACITY, BUT CURRENT CONSENSUS IS THAT HE WILL REMAIN AT LEAST THROUGH NEXT LOS SESSION FOR SAKE OF CONTINUITY.

4. EMBASSY HAS KEPT MEMBERS OF SENEGALESE LOS DELEGATION IN FOREIGN AND WATER RESOURCES MINISTRIES AND PRIME MINISTER'S OFFICE SUPPLIED WITH SUCCESSIVE U.S. STATEMENTS ON LOS ISSUED SINCE CONCLUSION OF NEW YORK SESSION, BUT WE WOULD BE GRATEFUL IF, UPON CISSE'S ARRIVAL IN PARIS, EMBASSY PARIS COULD ALSO SUPPLY HIM DIRECTLY WITH

FUTURE AMERICAN LOS DECLARATIONS, AS HE IS PRIME FORMULATOR OF SENEGALESE LOS POLICY, AND IS STRATEGICALLY PLACED TO INFLUENCE GROUP OF 77 AT LARGE. CISSE SHOULD REMAIN PRIMARY LOCUS OF ANY SUBSTANTIVE INTERSESSIONAL DISCUSSIONS WHICH U.S. UNDERTAKES WITH SENEGAL FOR SO LONG AS HE REMAINS HEAD OF LOS DELEGATION.

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C O N F I D E N T I A L SECTION 2 OF 2 DAKAR 8404

VIENNA FOR USIAEA

5. SENEGALESE INITIALLY TOOK POSITION THAT IMPORTANT PROGRESS WAS REALIZED AT SIXTH SESSION, AND PROFESS TO HAVE BEEN SURPRISED THAT U.S. TOOK EXCEPTION TO DEEP SEABED PROVISIONS. THEY ARGUED THAT GROUP OF 77'S ACCEPTANCE OF RIGHT OF STATES AND PRIVATE SOCIETIES TO PARTICIPATE IN SEABED EXPLOITATION PARALLEL TO EFFORTS F INTERNATIONAL COMMUNITY WAS SIGNIFICANT CONCESSION, AND WERE CRITICAL OF STRONG U.S. REACTION TO COMMITTEE 1 TEXT. WHEN EMBOFF REMARKED TO MEMBER OF SENEGALESE LOS DELEGATION SHORTLY AFTER SESSION ENDED THAT COMMITTEE 1 ACTION HAD SEVERELY SET BACK HOPES FOR ACCEPTABLE SEABED MINING ACCORD, HE REPLIED, "THAT'S ACCORDING TO YOU," BUT ACKNOWLEDGED THAT AMERICAN REACTION WOULD DOMINATE PREPARATIONS FOR NEXT SESSION, IN NOVEMBER STATEMENT TO SENEGALESE CABINET (FULL TEXT BEING POUCHED), FOREIGN

MINISTER SECK COMMENTED:

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QUOTE IT MUST BE ADMITTED THAT THIS SESSION DID NOT RESPOND TO ALL THE HOPES PLACED IN IT. AND THE UNOFFICIAL NEGOTIATING TEXT WHICH WAS ULTIMATELY PRODUCED IS ONLY PARTIAL COMPENSATION, AT MOST, FOR THE DISAPPOINTMENT CAUSED BY THE AMERICAN DELEGATIONS' REJECTION OF THAT WORKING INSTRUMENT, WHICH SOME ALREADY WOULD CONSIDER A GOOD BASIS FOR NEGOTIATION, NOT TO SAY THE INITIAL DRAFT OF THE FUTURE CONVENTION. ABSENT THE AMERICAN REACTION, ONE COULD HAVE LEGITIMATELY THOUGHT THAT THE CONFERENCE FINALLY HAD WITHIN ITS GRASP THE PRESIDENT'S COMPOSITE TEXT, THE INITIAL DRAFT OF THE FUTURE CONVENTION. UNQUOTE.

6. SENEGALESE CONTINUE TO VIEW OVERALL RESULTS OF LOS CONFERENCE TO DATE AS ENCOURAGING, NOTING THAT CONSENSUS TAKING SHAPE AT CONFERENCE IS ALREADY BEING GRADUALLY IMPLEMENTED IN NATIONAL LEGISLATION AND ACQUIRING RECOGNIZED STATUS AS CUSTOMARY LAW. POINTING IN PARTICULAR TO WIDESPREAD ADOPTION OF 200 MILE ECONOMIC ZONES, SECK TOLD CABINET THAT "THE NOTIONS OF EQUITY AND JUSTICE IN THE SEAS" WHICH LED THE DEVELOPING COUNTRIES TO DEMAND AN LOS CONFERENCE "ARE NO LONGER EMPTY WORDS." THAT, HE SAID, WAS ALREADY A "POSITIVE ACCOMPLISHMENT".

7. IN CONVERSATIONS WITH SENEGALESE OFFICIALS INVOLVED, EMBOFFS HAVE DRAWN ON PUBLIC U.S. STATEMENTS TO EMPHASIZE UNACCEPTABILITY OF FAR-REACHING POWERS PROPOSED FOR SEARCHING REVIEW TO ASSISS WHETHER CONFERENCE CAN PRODUCE A TREATY WHICH SATISFACTORILY ACCOMMODATES THE DIFFERENT NATIONAL INTERESTS INVOLVED. SENEGALESE HAVE RESPONDED EMPHATICALLY THAT CONFERENCE AND TREATY WITHOUT U.S. PARTICIPATION WOULD BE "UNTHINKABLE." THEY PROFESS TO BE ACUTELY CONSCIOUS THAT SEABED EXPLOITATION REGIME MUST BE ABLE

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TO TAP EFFECTIVELY AMERICAN TECHNOLOGICAL EXPERTISE AND PRIVATE CAPITAL. THEY BELIEVE THAT LDC'S HAVE MADE MAJOR GAINS IN CONFERENCE TO DATE WHICH THEY ARE ANXIOUS TO CONSOLIDATE THROUGH FINAL ACCORD, AND APPEAR ANXIOUS TO COOPERATE IN FINDING COMPROMISE ON SEABED AUTHORITY RESPONSIVE TO AMERICAN CONCERNS. OTHER PRIMARY SENEGALESE PREOCCUPATION REMAINS "UNREASONABLE" DEMANDS OF LANDLOCKED STATES FOR EQUAL ACCESS TO OFFSHORE RESOURCES.

8. AMBASSADOR CISSE LIKES TO CAST HIMSELF AS A HELPFUL
MEDIATOR BETWEEN INDUSTRIALIZED COUNTRIES AND MORE RADICAL
THIRD WORLD MEMBERS, IN SEARCH FOR COMMON GROUND.
IN RECENT DEMARCHE, BRITISH EMPHASIZED TO FOREIGN MINISTRY
DIRECTOR OF LEGAL AFFAIRS DIOP UNACCEPTABILITY TO UK OF
PRESENT DEEP SEABEDS TEXT, TO WHICH DIOP RESPONDED WITH
EXPRESSION OF SENEGALESE WILLINGNESS TO COOPERATE IN PUTTING
BEFORE GROUP OF 77 ANY REVISED LANGUAGE DEVELOPED AT INTERSESSIONAL
CONSULTATIONS IN NEW YORK. (SENEGALESE INDICATE THEY HAVE ALSO
BEEN OBJECT OF LOS REPRESENTATIONS BY USSR, FRANCE AND TURKEY).
SENEGAL'S STRONG COMMITMENT TO CONCLUDING A CONVENTION ACCEPTABLE
TO U.S., ITS DESIRE TO MOVE LDC'S BEYOND IDEOLOGICAL
POSTURING, AND ITS SELECTION TO HOST PLANNED GROUP OF 77
CONSULTATION SHOULD PLACE IT IN EXCELLENT POSITION TO PLAY
POSITIVE ROLE IN GETTING DELIBERATIONS BACK ON TRACK. EVOLVING
U.S. LOG STRATEGY
SHOULD TAKE INTO ACCOUNT SENEGAL'S POTENTIAL FOR MAKING HELPFUL
CONTRIBUTION.
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